

REMARKS

The following remarks are responsive to the February 9, 2006 Written Opinion of the International Searching Authority.

The Written Opinion stated that claims 19-21 lack an inventive step under PCT Article 33(3) as being obvious over U.S. Patent No. 5,856,760 (Turner) in view of U.S. Patent No. 5,667,378 (Bushman).

Claim 19, as amended, is directed to a method for firing bricks that includes a step of providing a kiln car having furniture that includes, among other things, a plurality of cross beams spaced apart from one another and configured for holding at least one low set stack of bricks. Contrary to what is stated in the Written Opinion, the combination of Turner and Bushman does not suggest a kiln car in which the cross beams is "configured for holding at least one low set of bricks."

Turner teaches away from such an invention in that it discloses a kiln car in which stringers 8 (i.e., cross beams (see Figure 3)) form a support plane for batts 9. The ceramic pieces are then loaded onto the batts.¹ Nothing in the combination of Turner and Bushman suggests that the cross beams themselves can support a set of bricks. Furthermore, nothing in Turner or Bushman suggests or teaches air space occupies the area along the sides and top of each low set of bricks as is called for in claim 19.

Although the Applicants do not believe that the Turner and Bushman patents render the invention claimed in original claim 19 obvious, claim 19 has been amended so as to clarify that the cross beams on the kiln car are spaced apart from one another and yet the cross beams themselves are configured to hold at least one low set of bricks. Because this

¹ U.S. Patent No. 5,836,760 (Turner), col. 1, ll. 29-32.

In re Appl. of Woodside et al.
Application No. Unassigned
(U.S. National Phase of PCT/US2004/031703)
Preliminary Amendment

type of configuration is not taught or suggested by the prior art cited in the Written Opinion,
the Applicants respectfully request that the Examiner allow claims 19-21 to issue.

This application is believed to be in condition for allowance and early favorable
action is requested. The Examiner is requested to call the undersigned attorney if that would
be helpful in resolving any matters that might remain.

Respectfully submitted,



David A. Frey, Reg. No. 43,618
GARDNER CARTON & DOUGLAS LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)
Customer No. 08968

Date: March 24, 2006

CH02/ 22443125.1